

POLICY

Each residential juvenile justice facility that operates its own school must provide each student referred for special education services with appropriate reviews to support special education disability determination and planning for services. The Review of Existing Evaluation Data (REED) is conducted by the Individualized Education Program (IEP) team to determine if evaluation is required prior to proceeding with program development in the IEP. The review enables the team to critically examine existing student data to determine:

- If a student continues to have a disability and educational need.
- If additional data is needed to support a disability determination.
- The student's present levels of academic achievement and related services needs.
- Whether any additions or modifications to the student's special education program and related services are needed to achieve measurable annual goals.

This policy assumes that the student:

- Is initially referred for special education.
- Requires re-evaluation for special education.
- Is being considered for special education eligibility termination.

This policy also assumes that an education case manager has been appointed; see JR4 402.

PURPOSE

To ensure each student receives a Review of Existing Evaluation Data as appropriate.

DEFINITIONS

See JRG, JJ Residential Glossary.

**RESPONSIBLE
PARTY**

Facility director or designee, education case manager, school social worker, teachers, and members of the Individualized Education Program teams.

**EDUCATION CASE
MANAGER**

The education case manager must:

- Ensure the parent(s)/legal guardian and student have been notified of the REED and invited to participate.
- Make arrangements for the use of telephone or videoconferencing in cases where the parent(s)/legal guardian are unable to be physically present.
- Coordinate appointment of a surrogate parent in cases where the parental rights have been terminated or no parent(s)/legal guardian can be located after documented reasonable efforts to make contact; see JR4 421; Appointment and Training of Surrogate Parents.

**REVIEW OF
EXISTING
EVALUATION
DATA (REED)**

The review team must include the following in its review:

- Evaluations and information provided by the parent(s)/legal guardian. Examples include external evaluations, medical reports, or a medical condition fact sheet.
- Current classroom-based local or state assessments and classroom-based observations. Examples include Michigan Educational Assessment Program results, universal screening or progress monitoring data using a response to intervention model, record reviews, discipline reports, attendance records, report cards, medical/health records, and developmental assessments for young children.
- Observations by teachers and related services providers including review of documents to ensure sufficient data exists to comply with Michigan rules. As a minimum, this information

must include documentation from the previous school the student attended.

- Any other input from the parent(s)/legal guardian. Input requires the opportunity for meaningful engagement through means such as interviews, telephone discussion, participation at a meeting, or a questionnaire. Examples include developmental history, parent perception of the student's possible disability, information about the student's learning, and input on the student's educational experiences. The input must be documented by the parent(s)/legal guardian/REED team in writing to the maximum extent practical.

The review team must make a determination if information is sufficient or, if additional data is needed, the team must identify what additional data is needed to determine:

- Whether the student continues to be a student with a disability.
- The educational needs of the student.
- The present levels of academic achievement and related developmental needs of the student.
- Whether the student needs special education and related services.
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet measurable annual goals of the Individualized Education Program (IEP) and to participate in the general education curriculum.

Example: Modifications to services may include adjusting the duration of the class day spent in a resource room, assignment of a teacher consultant, or other modification consistent with the continuum of services and continuing progress towards education in the least restrictive environment; see JR4 410, Continuum of Services.

The review team must document the data that they reviewed in the REED report. Documentation must be substantive and describe how the data reviewed relates to the youth's disability or performance.

**Sufficient
Information**

If information is sufficient, the education case manager must notify the parent(s)/legal guardian in writing that the review has determined:

- No additional information is necessary.
- The reasons for the sufficient information decision.

The education case manager must advise the parent(s)/legal guardian that they have the right to request an assessment to determine whether the student continues to be a student with a disability and to determine the student's educational needs.

The education case manager must provide the parent(s)/legal guardian a copy of the REED report.

The IEP team may determine that re-evaluation at the three-year point following an IEP is not required. However, a REED and IEP that determines eligibility must be completed every three years.

**Insufficient
Information**

If information is not sufficient, the education case manager must:

- Notify the parent(s)/legal guardian in writing and provide the parent(s)/legal guardian a copy of the REED report.
- Develop an education plan which includes assessment areas and information needed.
- Obtain parent/legal guardian written consent to evaluate the student (if not obtained previously).
- Make a follow-up call to the parent(s)/legal guardian to discuss the report and answer any questions.
- Forward a copy of the REED report including all attachments to the IEP team that will conduct the multidisciplinary evaluation.

In cases where the REED determines that eligibility is not a question and a multidisciplinary evaluation is not required, the report must document the data that was used to make the

determination and be forwarded to the IEP team for development of the student's individual program.

**REED
ASSOCIATED
WITH RE-
EVALUATON**

In the event the student is within the 90 calendar day period prior to the three year anniversary of the Individualized Education Program, the facility director or designee must ensure an education case manager is appointed. The education case manager must follow this policy to ensure a REED is conducted prior to any re-evaluation. A REED must also be completed if the parent(s)/legal guardian request a re-evaluation.

AUTHORITY

Individuals with Disabilities Education Improvement Act of 2004, 20 USC 1400 et seq.

Rules implementing the Individuals with Disabilities Education Improvement Act of 2004, 34 CFR 300.300, 303, 304 and 305.

Michigan Department of Education Administrative Rules for Special Education R340.1721a.